



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/076,277	02/19/2002	Hideo Ando	219527US2S DIV	1055

7590

04/29/2004

OBLON, SPIVAK, MCCLELLAND, MAIER & NEUSTADT
FOURTH FLOOR
1755 JEFFERSON DAVIS HIGHWAY
ARLINGTON,, VA 22202

EXAMINER

NGUYEN, HUY THANH

ART UNIT	PAPER NUMBER
----------	--------------

2615

DATE MAILED: 04/29/2004

21

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/076,277

Applicant(s)

ANDO ET AL.

Examiner

HUY T NGUYEN

Art Unit

2615

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 10 February 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 16-20 and 25-33 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 16-20 and 25-33 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

1. The indicated allowability of claims 25-28 and 30-33 is withdrawn in view of the newly discovered reference(s) and amended claims. Rejections based on the newly cited reference(s) follow.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 16-20 and 25 –33 are rejected under 35 U.S.C. 102(e) as being anticipated by Moon et al (6,721,493).

Regarding claims 16 and 25-28, Moon discloses an apparatus for recording information on storage medium (Figs 4,13), the medium (Figs 2,6,7 and 10-11, column 5, lines 45-61, column 6) comprises a data area stored contents data including still picture data, and a management area stored control information including information used to access the content data to reproduce at least a portion of the still picture data with a reproducing apparatus, the control information including a still picture cell

Art Unit: 2615

information including information of a cell referring to the still picture data including a field with still picture cell general information and a plurality of fields with still picture cell entry point information (cell information #), and the still picture cell general information includes number information of the still picture cell entry point information fields.

Regarding claim 17-20, Moon further teaches audio entry numbers corresponding to still picture data (Fig. 2,3,7 and 11).

Regarding claims 30-33, Moon further teaches numbers of video objects (still images) (Figs. 7-12).

4. Claims 16 and 25-33 are rejected under 35 U.S.C. 102(e) as being anticipated by Toyoda et al (2002/0054049).

Regarding claims 16 and 25-28, Toyoda discloses an apparatus for recording and reproducing the information on and from an information storage medium (Figs. 1-, the medium (Fig. 15) comprises a data area stored contents data including still picture data, and a management area stored control information including information used to access the content data to reproduce at least a portion of the still picture data with a reproducing apparatus, the control information including a still picture cell information (still picture information) including information of a cell referring to the still picture data including a field with still picture cell general information and a plurality of fields with still picture cell entry point information (Playback pointer number).

Regarding claims 30-33, Toyoda further teaches numbers of video objects (still images) (Figs 12 and 15).

Art Unit: 2615

5. Claims 16-20 and 25-33 are rejected under 35 U.S.C. 102(e) as being anticipated by Parulski (5,55,098).

Regarding claims 16 and 25-28, Parulski discloses an apparatus for recording information on a storage medium (Fig. 2), the medium (Fig. 3) comprises a data area stored contents data including still picture data, and a management area stored control information including information used to access the content data to reproduce at least a portion of the still picture data with a reproducing apparatus, the control information including a still picture cell information (still picture information) including information of a cell referring to the still picture data including a field with still picture cell general information and a plurality of fields with still picture cell entry point information (number of still pictures to be reproduced for a sequence).

Regarding claim 17-20, Parulski teaches audio entry information (audio numbers, Figs. 3,4).

Regarding claims 30-33, Parulski teaches numbers of video objects (image numbers and audio numbers, Figs.3-5),

Conclusion

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Kim teaches apparatus for recording still picture object and audio on a recording medium.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to HUY T NGUYEN whose telephone number is (703) 305-4775. The examiner can normally be reached on 8:30AM -6:00PM.

Art Unit: 2615

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew Christensen can be reached on (703) 308-9644. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

H.N


HUY NGUYEN
PRIMARY EXAMINER